



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,698	02/10/2004	Brian G. Balistec	6579-0038-1	9180

7590 05/01/2006

Richard R Michaud  
The Michaud-Duffy Group LLP  
306 Industrial Park Suite 206  
Middletown, CT 06457

EXAMINER
----------

ALIE, GHASSEM

ART UNIT	PAPER NUMBER
----------	--------------

3724

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-10, drawn to a process for making a microedged shaving surface including steps of coating a surface of a substrate with a photoresist material, etching the photoresist material, and stripping the photoresist material, classified in class 73, subclass 104.1
- II. Claims 11-19, drawn to a product as a microedged shaving surface including a substrate having a plurality of micro-protrusions projecting outwardly from the surface of the substrate and a plurality of microedged shaving elements carried by micro protrusions, classified in class 30, subclass 350.

The inventions are distinct, each from the other because:

- 2. Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case (1) applies because the process as claimed can be used to make another and materially different product that does not include a substrate having a plurality of micro-protrusions projecting outwardly from the surface of the substrate, and a plurality of microedged shaving elements carried by micro protrusions. In addition, the product as claimed can be used in a materially different process that does not include steps of coating a surface of a substrate with a photoresist material, etching the photoresist material, and stripping the photoresist material.
- 3. Because these inventions are distinct for the reasons given above and have acquired a

Art Unit: 3724

separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their divergent subject matter, restriction for examination purpose as indicated is proper.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor or at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR. 1.143).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information


Application/Control Number: 10/775,698  
Art Unit: 3724

Page 4

about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (too-free).

GA/ga

April 21, 2006



**BOYER D. ASHLEY**  
**SUPERVISORY PATENT EXAMINER**